Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Reallocation of the 216-220 MHz,	)	WT Docket No. 02 - 08
1390-1395 MHz, 1427-1429 MHz,	)	RM-9267
1429-1432 MHz, 1432-1435 MHz,	)	RM-9692
1670-1675 MHz, and 2385-2390 MHz	)	RM-9797
Government Transfer Bands	)	RM-9854
	)	RM-9882

Reply Comments of Comsearch

Comsearch, pursuant to Section 1.415 of the FCC rules, hereby respectfully submits the following reply comments in response to the Notice of Proposed Rulemaking ("NPRM") in the above captioned proceeding.

Licensing of Non-Medical Telemetry Systems in the 1427-1432 MHz Band

In the NPRM, the Commission requested comment on several issues relating to the licensing of non-medical telemetry systems in the 1427-1432 MHz band, including site-by-site versus geographic area licensing and coordination rules. The Commission proposed site-by-site licensing[1], "traditional land mobile frequency coordination …. pursuant to Section 90.175"[2], and use of a 70 mile distance criteria.[3]

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[1] NPRM at 60.
[2] NPRM at 65.
[3] NPRM at 61.

Several commenters point out that non-medical telemetry systems in this band are similar to Multiple Address Systems (MAS) licensed in the 900 MHz band under Part 101. MAS systems are licensed on a site-by-site basis[4] and are coordinated using distance criteria of 145 km (90 mi) fixed-to-fixed, 113 km (70 mi) fixed-to-mobile, and 81 km (50 mi) mobile-to-mobile.[5] UTC agrees with the proposed 70 mile coordination distance and points out its consistency with the MAS criteria.[6] API states that the 900 MHz MAS channels it uses for SCADA applications are exhausted in some areas and hopes that that 1.4 GHz band might be made available for "MAS-type systems".[7] Itron states that 70 miles is the appropriate coordination distance but that short-spacing agreements should be allowed as they are for MAS.[8]

We agree with the Commission's proposal, supported by several commenters, that site-by-site licensing is the most appropriate method to protect WMTS from harmful interference. [9] The use of site-by-site licensing as opposed to area wide licensing will allow the WMTS coordinator timely access to the specific site data needed for effective analysis.

We urge the Commission to consider licensing the non-medical telemetry systems in the 1427-1432 MHz band as MAS systems under Part 101 where they appear to fit nicely

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[4] See 47 C.F.R. §101.147(b) for a listing of channels that use site-based licensing.
[5] See 47 C.F.R. §101.105(c)(3).
[6] Comments of UTC at page 7.
[7] Comments of API at page 5.
[8] Comments of Itron at page 5.
[9] Comments of SpaceLabs Medical at page 3, Itron at page 4, and UTC at page 6.

within the existing regulatory framework. The existing distance criteria for MAS coordination could be used or a new category could be added if 70 miles is considered appropriate for all telemetry applications at 1.4 GHz. Just as the site-licensed 900 MHz MAS channels are limited to private internal use[10], the 1.4 GHz channels could be limited to utility telemetry or other private uses as the Commission may decide.[11] UTC recommends a channel plan based on a basic increment of 25 kHz[12] while Itron prefers a much wider basic increment of 250 kHz.[13] A channel plan based on any suitable increment could be added to 101.147(b), and aggregation of channels could allow use of wider bandwidths where necessary.

Coordination under Part 101 would have the benefit of allowing companies eligible to use 1.4 GHz non-medical telemetry systems to use the entire pool of existing MAS frequency coordinators rather than limiting the coordination to only the certified Part 90 land mobile frequency coordinators. Simply put, all coordinators including those certified under Part 90, are eligible to perform coordination services under Part 101. However, the converse is not true – not all of the present Part 101 MAS coordinators would be eligible to participate under Part 90. It is likely that many of the prospective non-medical licensees in the 1.4 GHz band will be the same companies currently deploying telemetry systems in the 900 MHz MAS band. The vast majority of MAS frequencies are engineered and coordinated by companies other than certified Part 90 coordinators. Therefore, if the pool of coordinators is limited to those certified under Part

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[10] See 47 C.F.R. §101.1305 & §101.1309.
[11] Non-private usage would appear to invoke the necessity of spectrum auctions.
[12] Comments of UTC at page 11.

90, these same licensees will no longer be able to seek services from those companies they have used extensively in the past. Licensing 1.4 GHz non-medical telemetry under Part 101 will allow users to draw upon the expertise that coordinators have gained in engineering and coordinating the similar 900 MHz MAS systems. Broadening the pool of eligible coordinators will also provide increased competition and result in better services and better prices to the users.

Coordination of Non-medical Telemetry Systems with WMTS in the 1427-1432 MHz Band

Due to the critical nature of the WMTS devices, we agree with the AHA Task Force that the Commission should "require all users of the 1427 – 1432 MHz band - WMTS or Telemetry Services - to register their facilities with ASHE pursuant to Section 95.1111 of the Commissions Rules."[14] Phillips Medical Systems supports this concept stating that secondary telemetry use in the WMTS band should not be allowed unless there is "confirmation from the WMTS frequency coordinator that no WMTS licensees could be affected by the proposed secondary telemetry use."[15] Phillips also recommends that "the WMTS frequency coordinator would have a clear role in the administration and coordination of such use".[16] Similar to the requirement placed upon WMTS operators in the band, registration of non-medical telemetry systems should be performed prior to system implementation to ensure appropriate notification and allow for adequate incumbent response.

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[13] Comments of Itron at page 9.
[14] Comments of AHA Task Force at page 7.
[15] Comments of Phillips Medical Systems at page 4.

This requirement is especially important for secondary licensees who may be operating on a co-channel basis. It is critical to the success of WMTS operation that the location of these devices is known and controllable. Without proper coordination and registration with the WMTS coordinator, secondary operators would be unlikely to recognize that they are causing interference while the primary WMTS victim of such interference would be unable to identify the cause. Registration will allow the WMTS frequency coordinator to notify potentially affected parties before interference occurs. To simply state that secondary users must not cause interference, as is stipulated in Commission's rules is not a sufficient safeguard to protect critical WMTS operations.

Respectfully Submitted,

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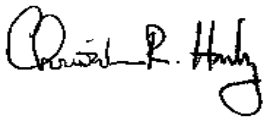

Prepared by:_____
Christopher R. Hardy
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Date: March 18, 2002

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[16] Comments of Phillips Medical Systems at page 4.